

## Message Text

CONFIDENTIAL

PAGE 01 BRASIL 02329 171711Z

43

ACTION DLOS-04

INFO OCT-01 ARA-06 IO-11 ISO-00 ACDA-05 AGR-05 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01 COME-00

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01

TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02

SS-15 USIA-06 SAL-01 OIC-02 /114 W  
----- 050107

P 171635Z MAR 76

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC PRIORITY 4572

INFO USMISSION USUN NY PRIORITY

C O N F I D E N T I A L BRASILIA 2329

E. O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS: UP-COMING LOS CONFERENCE SESSION

REF: STATE 054588

1. I TOUCHED ON THE GENERAL ASPECTS OF OUR APPROACH TO THE LOS CONFERENCE WITH FOREIGN MINISTER SILVEIRA ON MARCH 11, NOTING THAT I WAS SEEKING AN APPOINTMENT WITH SECRETARY GENERAL GUERREIRO TO GO OVER OUR VIEWS IN DETAIL. IN REPLY TO MY BRIEF COMMENTS, SILVEIRA SAID THAT HE HAD SENT INSTRUCTIONS TO THE BRAZILIAN DELEGATION TO BE "VERY FLEXIBLE" IN ACCORDANCE WITH HIS UNDERTAKING DURING THE SECRETARY'S VISIT. IN CONTEXT, SILVEIRA WAS REFERRING TO THE DEEP SEABEDS ISSUE.

2. ON MARCH 16, I SAW GUERREIRO, WHO IS THE FOREIGN MINISTRY'S SENIOR LOS MAN, AND WHO WILL BE ATTENDING THE NEW YORK MEETINGS FOR A WEEK ON TEN DAYS AT ABOUT THE  
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BRASIL 02329 171711Z

END OF MARCH. I WENT OVER THE CONTENTS OF REFTEL IN

DETAIL, LEAVING WITH GUERREIRO A COPY OF MY TALKING POINTS.

3. AS IS HIS WONT, GUERREIRO WAS CORCUMSPECT AND LOW-KEY IN HIS REACTIONS, WHICH WERE NOT INTENDED TO BE COMPREHENSIVE AND WHICH WERE THESE:

A. ON SEABEDS, THE BRAZILIAN DELEGATION HAD INDEED RECEIVED INSTRUCTIONS TO BE FLEXIBLE AND MATTERS SEEMED TO BE "MOVING ALONG" IN THE G-77, ALTHOUGH THERE WERE ALWAYS PROBLEMS WHEN REPRESENTATIVES WHO HAD NOT BEEN PARTICIPANTS IN INFORMAL DISCUSSIONS SUCH AS THOSE IN THE INTERSESSIONAL MEETINGS WERE BROUGHT UP TO DATE.

B. THE SEABEDS ISSUES MIGHT BE EASIER TO DEAL WITH AND GET ACCOMMODATION ON THAN SOME OF THE OTHER OUTSTANDING QUESTIONS.

C. BRAZIL HAD PROBLEMS, AS DID MANY OTHER G-77 COUNTRIES, WITH THE US REQUIREMENT OF A VOTING STRUCTURE IN THE COUNCIL OF THE SEABEDS AUTHORITY ADEQUATE TO PROTECT AND REFLECT THE INTERESTS OF ADVANCED TECHNOLOGY STATES.

D. THE US AND BRAZILIAN POSITIONS ON "RESIDUAL" RIGHTS IN THE ECONOMIC ZONE WERE QUITE DIFFERENT. BRAZIL COULD NOT ACCEPT A PROVISION IN THE TEXT THAT WOULD STIPULATE THAT RIGHTS NOT GIVEN TO THE COASTAL STATES REMAIN IN THE HIGH SEAS REGIME. HE WAS AWARE THAT THIS ISSUE INVOLVED MANY CONSIDERATIONS, INCLUDING MILITARY ONES.

E. THE CONCEPT OF AN ENCOMPASSING CATEGORY OF GEOGRAPHICALLY DISADVANTAGED STATES WAS ONE WHICH GAVE BRAZIL GREAT DIFFICULTY BECAUSE OF THE HETEROGENEITY OF SUCH STATES AND THE LOOSENESS OF DEFINITION OF GEOGRAPHICAL DISADVANTAGE. (HE CITED THE FRG AND SINGAPORE CLAIMS OF DISADVANTAGE AS ILLUSTRATIONS OF THE ELASTICITY OF THE IDEA.) HE NOTED THAT BRAZIL RECOGNIZED THE NEED FOR ACCESS OF THE LAND-LOCKED STATES, AND HE REFERRED TO THE BILATERAL GOB-PARAGUAYAN AGREEMENT THAT PERMITTED PARAGUAYAN PARTICIPATION IN THE EXPLOITATION OF LIVING RESOURCES. HE EMPHASIZED THAT THIS DID NOT EXTEND TO NON-LIVING RESOURCES. HE COMMENTED THAT REGIONAL ARRANGEMENTS MIGHT OFFER SOME WAY OUT ON THE GROUNDS THAT IN A REGIONAL FRAMEWORK POLITICAL CONSIDERATION MIGHT FACILITATE ACCOMMODATION.

F. THE WELL-KNOWN DIFFERENCES IN THE US AND BRAZILIAN  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BRASIL 02329 171711Z

POSITIONS ON SCIENTIFIC RESEARCH PERSISTED.

G. THE GOB DID NOT AGREE WITH THE US VIEWS ON ALL-EMBRACING COMPULSORY DISPUTE SETTLEMENT. HE DID NOT BELIEVE THAT THE US POSITION COULD COMMAND MAJORITY SUPPORT UNDER THE VOTING PROCEDURES OF THE CONFERENCE.

H. THERE HAD BEEN VERY CONSIDERABLE MOVEMENT IN THE

GENERAL BRAZILIAN POSITION AND THERE PROBABLY WOULD BE MORE, BUT, DESPITE THE USBTANTIAL NARROWING OF THE DIFFERENCES BETWEEN THE US AND BRAZIL THAT HAD NCURRED, HE DID NOT WANT TO APPEAR OR SOUND OPTIMISTIC BECAUSE THERE WERE VERY DIFFICULT ISSUES OUTSTANDING.

I. (IN RESPONSE TO MY OBSERVATION THAT BRAZIL APPEARED TO AGREE WITH OUR BASIC CONCERN THAT IT WAS ESSENTIAL TO GET TO HARD NEGOTIATIONS), BRAZIL WAS PREPARED "TO TRY TO NEGOTIATE" AND THE BRAZILIAN DELEGATION WOULD BE OPEN TO PROPOSALS.

J. AS IT HAD BEEN FROM THE BEGINNING, BRAZIL WAS FLEXIBLE ON THE QUESTION OF A SINGLE AGREEMENT OR A SERIES OF SEPARATE AGREEMENTS ON DISTINCT COMPONENTS. HE ACKNOWLEDGED THAT AN OVERALL AGREEMENT WAS "LOGICAL" BUT IT SIMPLY MIGHT NOT BE POSSIBLE TO ACHIEVE. (IN A CONVERSATION WITH SENATOR JAVITS IN JANUARY, FOREIGN MINISTER SILVEIRA HAD VAGUELY EXPRESSED DOUBTS ABOUT THE REALISM OF SEEKING A SINGLE AGREEMENT, AND IN SOME RECENT GLANCING NON-ATTRIBUTED PRESS COMMENTS THERE HAVE BEEN SOMEWHAT SILILAR REFERENCES.)

3. GUERREIRO SAID THAT THE BRAZILIAN LOS DELEGATION WOULD KEEP IN TOUCH WITH THE US DELEGATION, AND HE HIMSELF WOULD BE AVAILABLE WHEN HE WAS IN NEW YORK.  
CRIMMINS

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, FOREIGN POLICY POSITION, DIPLOMATIC DISCUSSIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 MAR 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** greeneet  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976BRASIL02329  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Film Number:** D760100-1119  
**From:** BRASILIA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760353/aaaabuld.tel  
**Line Count:** 141  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION DLOS  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 54588  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** greeneet  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 14 MAY 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <14 MAY 2004 by ElyME>; APPROVED <23 SEP 2004 by greeneet>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LOS: UP-COMING LOS CONFERENCE SESSION  
**TAGS:** PLOS, BR, US  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006